

This Page Is Inserted by IFW Operations  
and is not a part of the Official Record

## **BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning documents *will not* correct images,  
please do not report the images to the  
Image Problem Mailbox.**



PTO/SB/01 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

# DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

☐ Declaration  
Submitted  
With Initial  
Filing

OR

☒ Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)

Attorney Docket Number BMD 9958 CIP US

First Named Inventor Bhullar

## COMPLETE IF KNOWN

Application Number 10/601,144

Filing Date 06/20/2003

Art Unit 1743

Examiner Name

## I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method of Making Biosensor

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 06/20/2003 as United States Application Number or PCT International

Application Number 10/601,144 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority		Certified Copy Attached?	
			Not Claimed		Yes	No
			<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

☒ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/01 (10-01)

Approved for use through 10/31/2002: OMB 0651-0032

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION — Utility or Design Patent Application**

Direct all correspondence to: <input checked="" type="checkbox"/>		Customer Number or Bar Code Label		32842		OR <input type="checkbox"/> Correspondence address below	
Name							
Address							
City				State		ZIP	
Country				Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF SOLE OR FIRST INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name Raghbir S. (first and middle [if any])				Family Name Bhullar or Surname			
Inventor's Signature <i>Raghbir S. Bhullar</i>				Date		11/04/03	
Indianapolis Residence: City		IN State		US Country		US Citizenship	
Mailing Address 6130 Chadsworth Way							
Indianapolis City		IN State		46236 ZIP		US Country	
NAME OF SECOND INVENTOR:				<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name Eric R. (first and middle [if any])				Family Name Diebold or Surname			
Inventor's Signature <i>Eric R. Diebold</i>				Date		11-5-03	
Noblesville Residence: City		IN State		US Country		US Citizenship	
Mailing Address 8765 Providence Dr.							
Noblesville City		IN State		46060 ZIP		US Country	
<input checked="" type="checkbox"/> Additional inventors are being named on the <u>1</u> supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.							

[Page 2 of 2]

PTO/SB/D2A (10-00)

Approved for use through 10/31/2002. OMB 0851-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION****ADDITIONAL INVENTOR(S)**  
**Supplemental Sheet**  
Page 1 of 1

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventorGiven Name  
Brian S.Family Name  
or Surname  
HillInventor's  
Signature

Date Nov 4, 2003

Avon

Residence: City

IN  
StateUS  
CountryUS  
Citizenship7759 E. County Road 200 N  
Mailing Address7759 E. County Road 200 N  
Mailing Address

City Avon

IN  
State46123  
ZIPUS  
Country

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventorGiven Name  
Nigel A.Family Name  
or Surname  
SurridgeInventor's  
Signature

Date NOVEMBER 7, 2003

Carmel

Residence: City

IN  
StateUS  
CountryUK  
Citizenship857 Nevelle Lane  
Mailing Address857 Nevelle Lane  
Mailing Address

City Carmel

IN  
State46032  
ZIPUS  
Country

Name of Additional Joint Inventor, if any:

☐ A petition has been filed for this unsigned inventorGiven Name  
~~Douglas P.~~ P. DouglasFamily Name  
or Surname  
WallingInventor's  
Signature

Date Nov 4, 2003

Indianapolis  
Residence: CityIN  
StateUS  
CountryUS  
Citizenship10216 Seabreeze Way  
Mailing Address10216 Seabreeze Way  
Mailing Address

City Indianapolis

IN  
State46256  
ZIPUS  
Country

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/81 (05-03)

Approved for use through 11/30/2005. OMB 0851-0035

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY OR  
AUTHORIZATION OF AGENT**

Application Number	10/601,144
Filing Date	June 20, 2003
First Named Inventor	Bhullar
Title	Method of Making Biosensor
Art Unit	1743
Examiner Name	
Attorney Docket Number	BMD 9958 CIP US

I hereby appoint:

☐ Practitioners at Customer Number

OR

☒ Practitioner(s) named below:

Name	Registration Number
Till L. Woodburn	39874
D. Michael Young	33819
Brent A. Harris	39215
Sujatha Subramaniam	48739
Richard T. Knauer	35575
Kenneth J. Waite	45189
Marilyn L. Amick	31444

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number.

OR

☐ Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).**SIGNATURE of Applicant or Assignee of Record**

Name	Steve Oldham, Vice President, General Counsel
Signature	<i>Steve Oldham</i>
Date	11/10/03
Telephone	317-521-7108

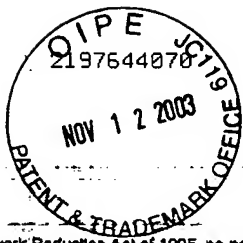
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

  
Law Dept. Diagnostics



PTO/SB/98 (08-03)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Bhullar et al.Application No./Patent No.: 10/601,144 Filed/Issue Date: 06/20/2003Entitled: Method of Making Biosensor

Roche Diagnostics Corporations Corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
 in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

November 10, 2003

Date

317-521-7108

Telephone number

Steve Oldham

Typed or printed name

[Signature]

Signature

Vice President, General Counsel  
 Title



This collection of information is required by 37 CFR 3.73(b). The information is required to obtain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9189 and select option 2.

ASSIGNMENT TO BUSINESS CONCERN

Docket No. BMID 9958 CIP US

## ASSIGNMENT

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the sufficiency and receipt of which is hereby acknowledged,

Name(s)  
of Inventors

Ragbir S. BhullarEric R. DieboldBrian S. HillNigel A. SurridgeDouglas P. Walling

, and

maker(s) of an invention which is the subject of an application for Letters Patent of the United States ("Application") entitled

Title of  
Application

Method of Making Biosensor

Serial No. of  
Application

10/601,144

Filing Date of  
Application

June 20, 2003

which has been executed by the undersigned on

Date of  
signing of  
Application by  
each inventor

2003,2003,2003,2003, and2003

the undersigned hereby sell(s), assign(s), and set(s) over to

Name of  
Assignee

ROCHE DIAGNOSTICS CORPORATION

Address of  
principal  
place of  
business

9115 Hague Rd.P.O. BOX 50457Indianapolis, IN 46250-0457

Insert State of  
Incorporation

a corporation of Indiana

(hereinafter designated as the assignee) their entire right, title and interest in, to and under the Application, including all priority rights for other countries arising therefrom, all inventions therein disclosed, and any and all Letters Patent of the United States and of all other countries, which may be granted for such inventions, or any of them, all such inventions and all rights in such Application and letters Patent to be held and enjoyed by Assignee for its own use and enjoyment to the full end of the term or terms for which such Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by them had this assignment and sale not been made.

The undersigned agree(s) to execute all papers necessary in connection with the application(s) in the United States and foreign countries and any continuing, divisional, or reissue applications thereof, and any reexamination of any of such applications, and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared or litigation concerning the application (s) or continuation, division, reissue, or reexamination thereof, and to cooperate with the Assignee in every way possible in obtaining evidence and going forward with such interference or litigation.

The undersigned agree(s) to execute all papers and documents and perform any act which may be necessary in connection with claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

The undersigned agree(s) to do all other acts which, in the opinion of Assignee, may be necessary or desirable to secure the grant of Letters Patent to Assignee or its nominees, in the United States and in all other countries where Assignee may desire to have such inventions, or any of them, patented, with specifications and claims in such form as shall be approved by Assignee and to vest and confirm in Assignee or its nominees the full and complete legal and equitable title to such Letters Patent.

The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patent of the United States resulting from said application (s) or any division or divisions or continuing or reissue applications thereof, and any reexamination of any of such applications, to said Assignee, as Assignee of the entire interest, and hereby covenants that the undersigned has the full right to convey the interest herein assigned and that the undersigned has not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) the attorney of record the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN WITNESS WHEREOF, I have executed this assignment at Indianapolis, IN  
the 4<sup>th</sup> day of Nov., 2003.  
Raghubir S. Bhullar  
Inventor (Signature)

Raghubir S. Bhullar  
Inventor (Printed Name)

## ACKNOWLEDGEMENT

STATE OF Indiana )  
 ) SS:  
COUNTY OF Marion )

Acknowledged before me, a Notary Public, within and for said County and State. Witness my hand and Notarial Seal this 10th day of Nov 2003.  
November

Rosemarie A. Edwards  
Notary Public

Rosemarie A. Edwards  
Printed Name

My Commission Expires: Feb. 9, 2007 Resident of Marion County.

Docket No. BMID 9958 CIP US

ROSEMARIE A EDWARDS  
NOTARY PUBLIC STATE OF INDIANA  
MARION HAMILTON COUNTY  
MY COMMISSION EXP. FEB. 9, 2007



IN WITNESS WHEREOF, I have executed this assignment at Indianapolis, IN  
 the 5 day of Nov, 2003.

Eric R. Diebold  
 Inventor (Signature)

Eric R. Diebold  
 Inventor (Printed Name)

## ACKNOWLEDGEMENT

STATE OF Indiana )

) SS:

COUNTY OF Marion )

Acknowledged before me, a Notary Public, within and for said County and State. Witness my hand and Notarial Seal this 5<sup>th</sup> day of November, 2003.

ROSEMARIE A EDWARDS  
 NOTARY PUBLIC STATE OF INDIANA  
 MARION HAMILTON COUNTY  
 MY COMMISSION EXP. FEB. 9, 2007

Rosemarie A. Edwards  
 Notary Public

Rosemarie A. Edwards  
 Printed Name

My Commission Expires: Feb. 9, 2007 Resident of Marion County.

IN WITNESS WHEREOF, I have executed this assignment at Indianapolis, IN  
 the 4<sup>th</sup> day of November, 2003.

Brian S. Hill  
 Inventor (Signature)

Brian S. Hill  
 Inventor (Printed Name)

## ACKNOWLEDGEMENT

STATE OF Indiana )

) SS:

COUNTY OF Marion )

Acknowledged before me, a Notary Public, within and for said County and State. Witness my hand and Notarial Seal this 4<sup>th</sup> day of November, 2003.

Rosemarie A. Edwards  
 Notary Public

Rosemarie A. Edwards  
 Printed Name

My Commission Expires: Feb. 9, 2007 Resident of Marion County.

Docket No. BMID 9958 CIP US

ROSEMARIE A EDWARDS  
 NOTARY PUBLIC STATE OF INDIANA  
 MARION HAMILTON COUNTY  
 MY COMMISSION EXP. FEB. 9, 2007

IN WITNESS WHEREOF, I have executed this assignment at Indianapolis, IN  
the 7<sup>th</sup> day of NOV., 2003.

[Signature]  
Inventor (Signature)

Nigel A. Surridge  
Inventor (Printed Name)

## ACKNOWLEDGEMENT

STATE OF Indiana )

) SS:

COUNTY OF Marion )

Acknowledged before me, a Notary Public, within and for said County and State. Witness my hand and Notarial Seal this 7<sup>th</sup> day of November, 2003.

ROSEMARIE A EDWARDS  
NOTARY PUBLIC STATE OF INDIANA  
MARION HAMILTON COUNTY  
MY COMMISSION EXP. FEB. 9, 2007

Rosemarie A. Edwards  
Notary Public  
Rosemarie A. Edwards  
Printed Name

My Commission Expires: Feb. 9, 2007 Resident of Marion County.

IN WITNESS WHEREOF, I have executed this assignment at Indianapolis, IN  
the 4 day of Nov., 2003.

[Signature]  
Inventor (Signature)

-Douglas P. Walling P. Douglas Walling  
Inventor (Printed Name)

## ACKNOWLEDGEMENT

STATE OF Indiana )

) SS:

COUNTY OF Marion )

Acknowledged before me, a Notary Public, within and for said County and State. Witness my hand and Notarial Seal this 4<sup>th</sup> day of November, 2003.

Rosemarie A. Edwards  
Notary Public  
Rosemarie A. Edwards  
Printed Name

My Commission Expires: Feb. 9, 2007 Resident of Marion County.

Docket No. BMID 9958 CIP US

ROSEMARIE A EDWARDS  
NOTARY PUBLIC STATE OF INDIANA  
MARION HAMILTON COUNTY  
MY COMMISSION EXP. FEB. 9, 2007